IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.715 OF 2005

IN

SUMMARY SUIT NO.2415 OF 2005

The Hongkong & Shanghai Banking Corporation Ltd. ...Plaintiff.

vs.

Rajesh Agarwal. ...Defendant.

Mr.Sudeep Sen i/b. M/s.M.V.Kini & Co., for Plaintiff.

Mr.Basant Tilokani, for Defendant.

CORAM: D.K.DESHMUKH,J.

DATED: 17th July, 2006.

P.C.:-

After having heard the learned Counsel appearing for plaintiff, it is clear that even according to the plaintiff the real nature of the transaction between the plaintiff and defendant has not been pleaded in the plaint. In my opinion, this is a good ground for granting unconditional leave to defend the suit. The summons for judgment is disposed of. The defendant is granted unconditional leave to defend the suit. Written statement to be filed within a period of Eight weeks from today.